

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS**

DON BRIEGER, ROBERT BECKER,  
ALAN BURSTIN, HARRY SCHULTZ, and  
PAULA MITCHELL,  
Individually and On Behalf of All Others  
Similarly Situated,  
  
Plaintiffs,  
  
v.  
  
TELLABS, INC., et al.,  
  
Defendants.

Case No. 1:06-cv-1882

Judge Matthew F. Kennelly

**DECLARATION OF PETER A. MUHIC, ESQ. IN SUPPORT OF PLAINTIFFS'  
MOTION IN LIMINE TO BAR EXPERT TESTIMONY  
OF KENNETH M. LEHN, DAVID J. ROSS AND LAURA T. STARKS  
AND TO BAR DEFENDANTS' ASSERTION OF AN  
AFFIRMATIVE DEFENSE PURSUANT TO ERISA SECTION 404(c)**

I, Peter A. Muhic, declare that:

1. I am an attorney with the law firm of Barroway Topaz Kessler Meltzer & Check, LLP (“BTKMC”), one of the law firms appointed to serve as Class Counsel in this matter. I make this Declaration to place before the Court certain documents and information referred to in Plaintiffs’ Motion In Limine to Bar the Expert Testimony of Kenneth M. Lehn, David J. Ross and Laura T. Starks and to Bar Defendants’ assertion of an affirmative defense pursuant to ERISA Section 404(c).
2. Attached hereto as Exhibit A are true and correct copies of relevant pages from the transcript of the January 30, 2009 deposition of Kenneth M. Lehn. Defendants have identified Mr. Lehn as an expert in this matter.
3. Attached hereto as Exhibit B is a true and correct copy of the Expert Report of

Kenneth M. Lehn, without exhibits, issued December 24, 2008.

4. Attached hereto as Exhibit C is a true and correct copy of the Declaration of David J. Ross, without exhibits, issued July 2, 2007.

5. Attached hereto as Exhibit D are true and correct copies of relevant pages from the transcript of the January 29, 2009 deposition of David J. Ross. Defendants have identified Mr. Ross as an expert in this matter.

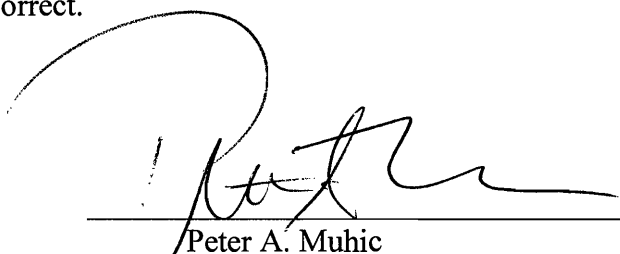
6. Attached hereto as Exhibit E are true and correct copies of relevant pages from the transcript of the January 28, 2009 deposition of Laura T. Starks. Defendants have identified Ms. Starks as an expert in this matter.

7. Attached hereto as Exhibit F is a true and correct copy of Tellabs Advantage Program – Summary Plan Description, effective (July 1999) [TL-ERISA 0371-0421].

8. Attached hereto as Exhibit G are copies of all unreported decisions cited in Plaintiffs' Motion In Limine to Bar the Expert Testimony of Kenneth M. Lehn, David J. Ross and Laura T. Starks and to Bar Defendants' Assertion of an Affirmative Defense Pursuant to ERISA Section 404(c).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 19, 2009



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Peter A. Muhic